

1 **WOLF, RIFKIN, SHAPIRO, SCHULMAN & RABKIN, LLP**  
DON SPRINGMEYER, ESQ.  
2 Nevada Bar No. 1021  
DANIEL BRAVO, ESQ.  
3 Nevada Bar No. 13078  
3556 E. Russell Road, Second Floor  
4 Las Vegas, Nevada 89120  
(702) 341-5200 / Fax: (702) 341-5300  
5 dspringmeyer@wrslawyers.com  
dbravo@wrslawyers.com

6 *(Additional Counsel on Signature Page)*

7 *Attorneys for Plaintiff*

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9 **UNITED STATES DISTRICT COURT**  
10 **DISTRICT OF NEVADA**

11 JAMIE PETTY,

12 Plaintiff,

13 vs.

14 BLUE SKIES GROUP, LLC; BLUE SKIES  
15 AVIATION GROUP HOLDINGS LLC;  
STEPHEN WILL ASHCROFT; and  
16 ROBERT CAPUTO,

17 Defendants.

Case No: 2:18-cv-0352-RFB-GWF

**STIPULATION AND ORDER TO  
EXTEND TIME FOR DEFENDANTS  
BLUE SKIES GROUP, LLC, BLUE  
SKIES AVIATION GROUP  
HOLDINGS LLC, STEPHEN WILL  
ASHCROFT, AND ROBERT  
CAPUTO TO FILE AN ANSWER OR  
RESPONSIVE PLEADING**

**(First Request)**

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19 Pursuant to LR II 7-1, the parties hereby jointly stipulate to extend the time in which  
20 Defendants BLUE SKIES GROUP, LLC, BLUE SKIES AVIATION GROUP HOLDINGS  
21 LLC, STEPHEN WILL ASHCROFT, and ROBERT CAPUTO may file an answer or a motion  
22 under Rule 12.

23 Plaintiff contends that BLUE SKIES GROUP, LLC was served on March 6, 2018,  
24 although Defendants dispute that service date (as well as the propriety of the forum, as an  
25 arbitration clause exists in the relevant contract). Defendants do not dispute that Defendant  
26 STEPHEN WILL ASHCROFT was served on March 29, 2018 and that Defendant ROBERT  
27 CAPUTO was served on March 28, 2018. Based upon the disputed service date, the deadline for  
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BLUE SKIES GROUP, LLC to file an answer or a motion under Rule 12 was March 27, 2018, and the parties agree that all defendants may have sixty-five (65) days from that date, up to and including May 31, 2018 in which to file a response. The additional time is requested so that the parties can schedule and conduct a mediation before responsive pleadings are due. Per LR IA 6-1, excusable neglect exists for the failure of the parties to file this stipulation prior to March 27, 2018, both due to the dispute over service and the ongoing discussions in which the parties eventually agreed to mediate before incurring the costs of continued litigation.

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1 This is the first request for an extension of time to file an answer or a motion under  
2 Rule 12.

3 RESPECTFULLY SUBMITTED,

4 DATED this 4th day of April, 2018.

5 **WOLF, RIFKIN, SHAPIRO,**  
6 **SCHULMAN & RABKIN, LLP**

7 By: /s/ Daniel Bravo  
8 Don Springmeyer, Esq. (SBN 1021)  
9 Daniel Bravo, Esq. (SBN 13078)  
10 3556 E. Russell Road, Second Floor  
11 Las Vegas, Nevada 89120  
12 (702) 341-5200 / Fax: (702) 341-5300  
13 dspringmeyer@wrsllawyers.com  
14 dbravo@wrsllawyers.com

15 Warren T. Burns, Esq. (*Pro Hac to be Submitted*)  
16 LeElle Krompass, Esq. (*Pro Hac to be Submitted*)  
17 Mallory Biblo, Esq. (*Pro Hac to be Submitted*)  
18 **BURNS CHAREST LLP**  
19 5900 Jackson Street, Suite 500  
20 Dallas, Texas 75202  
21 Telephone: (469) 904-4550  
22 Facsimile: (469) 444-5002  
23 wburns@burnscharest.com  
24 lkrompass@burnscharest.com  
25 mbiblo@burnscharest.com

26 Korey A. Nelson, Esq. (*Pro Hac to be Submitted*)  
27 **BURNS CHAREST LLP**  
28 365 Canal Street, Suite 1170  
New Orleans, Louisiana 70130  
Telephone: (504) 799-2845  
Facsimile: (504) 881-1765  
knelson@burnscharest.com

*Attorneys for Plaintiff*

**WILSON, ELSER, MOSKOWITZ,**  
**EDELMAN AND DICKER, LLP**

By: /s/ Sheri Thome  
Sheri Thome, Esq. (SBN 8657)  
300 South Fourth Street, Suite 1100  
Las Vegas, Nevada 89101  
(702) 727-1400 / Fax: (702) 727-1401  
Sheri.Thome@wilsonelser.com

Jonathan P. Whitcomb, Esq. (*Pro Hac to be Submitted*)

**DISERIO MARTIN**  
One Atlantic Street  
Stamford, CT 06901  
(203) 358-0800 / Fax: (203) 559-7146  
jwhitcomb@dmoc.com

*Attorneys for Defendants Blue Skies Group, LLC, Stephen Will Ashcroft, and Robert Caputo*

**ORDER**

IT IS SO ORDERED.

  
\_\_\_\_\_  
United States District Judge or Magistrate Judge

DATED: 4-5-2018

**CERTIFICATE OF SERVICE**

I hereby certify that on this 4th day of April, 2018, a true and correct copy of **STIPULATION AND ORDER TO EXTEND TIME FOR DEFENDANTS BLUE SKIES GROUP, LLC, BLUE SKIES AVIATION GROUP HOLDINGS LLC, STEPHEN WILL ASHCROFT, AND ROBERT CAPUTO TO FILE AN ANSWER OR RESPONSIVE PLEADING** was served via the United States District Court CM/ECF system on all parties or persons requiring notice.

By: /s/Christie Rehfeld

Christie Rehfeld, an Employee of  
WOLF, RIFKIN, SHAPIRO, SCHULMAN &  
RABKIN, LLP